

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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METRO-NORTH RAILROAD TRAIN

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DERAILMENT, DECEMBER 1, 2013

* Docket No.: DCA-14-MR-002

BRONX, NEW YORK

*

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Interview of: MARIA HERBERT

Presbyterian Hospital
Yonkers, New York

Wednesday,
December 4, 2013

The above-captioned matter convened, pursuant to notice.

BEFORE: DAVID BUCHER
Accident Investigator

APPEARANCES:

DAVID BUCHER, Accident Investigator
Operations Group Chairman
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National Transportation Safety Board (NTSB)

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MARTHA GRANT, Local Chairperson
Hudson Division
ACRE Local 1

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Maria Herbert:		
By Mr. Boucher		4
By Mr. Parkin		15
By Ms. McKay		24
By Mr. Bucher		29
By Mr. Parkin		30

I N T E R V I E W

(4:35 p.m.)

MR. BUCHER: This is David Boucher, NTSB rail investigator and this is the interview of Maria Herbert in relation to NTSB investigation DCA-14-MR-002 that occurred on December 1, 2013. And let's see here, it is 4:10 and --

MS. MCKAY: I've got 4:35.

MR. BUCHER: 4:35? 4:35. Lose track of time. We're going to go around the room and introduce ourselves.

MR. PARKIN: Bruce Parkin, B-r-u-c-e, P-a-r-k-i-n, Federal Railroad Administration, Railroad Safety Inspector, Region 1.

MS. MCKAY: Mary Pat McKay, M-a-r-y, P-a-t, M-c-K-a-y. Chief Medical Officer, NTSB.

MS. GRANT: Martha Grant, Local Chairman, ACRE Division 1. M-a-r-t-h-a, G-r-a-n-t.

INTERVIEW OF MARIA HERBERT

BY MR. BUCHER:

Q. And Maria, would you spell both your first and last names for the recorder please?

A. Yes. Maria, M-a-r-i-a, Herbert, H-e-r-b-e-r-t.

Q. Okay. And do you -- can you give us your hire date for the railroad?

A. Yes, it was August 6, 2001.

Q. And would -- relative to the accident, would you go back

1 to the day that it occurred and just describe your day from the
2 time you got up that day and basically through when they, after
3 the accident, maybe brought you to the hospital --

4 A. Okay.

5 Q. -- in your own words?

6 A. Okay. I get up at around 3:30, 4:00 in the morning. I
7 do my normal wash up.

8 Q. There you go. Let's put this right here. There you go.

9 A. Shall I repeat that?

10 Q. Yeah, just start here.

11 A. I get up at 3:30, 4:00 in the morning, wash up, dress.
12 I had some breakfast, like I normally do, before I leave and I
13 leave the house at 5:15, 5:20. I'm only 15 minutes away from
14 Poughkeepsie Station.

15 So I got to Poughkeepsie. I signed in, in the computer,
16 and then I signed -- always sign the register. I grabbed the
17 DTOBO like I normally do and I look it over briefly and proceeded
18 to go to the train like I normally do, you know. Our train that
19 day was on Track 3, which is the normal. I always meet with the
20 engineer and, you know, "Hi, how's it going; what's going on
21 today?" We always have like a little, you know, a little
22 briefing, what we call a safety briefing, and that's a normal
23 thing every day. And time to -- you know, I got my stuff
24 together, my work belt, put everything together and I just
25 proceeded my normal routine, start collecting tickets out of

1 Poughkeepsie.

2 Then we make our stops. Do you need to know the stops?

3 Q. I mean, whatever you -- as far detailed as you would
4 like to make it.

5 A. Okay. We make the stops, New Hamburg, Beacon. At this
6 point I'm -- I already, you know, met with Michael in the middle.
7 We always meet in the middle of the train. There's five cars open
8 out of the seven cars so we worked five cars together. Then we
9 wait. We wait till Beacon because we're in the middle now of the
10 open cars, in the middle. So we wait till Beacon and then at
11 Beacon we sweep back and we wait a few more stops. Now we're up
12 to, like, Peekskill because we do Beacon, Cold Spring, Garrison,
13 Peekskill.

14 So the stops are a little light. So Peekskill, we wait
15 till Peekskill and then I do -- collect tickets again. We meet up
16 again in the middle. I meet up with Michael and then we sweep
17 back, then we wait till Croton, just the usual. And then collect
18 tickets again, and after Croton we do Ossining and Tarrytown, and
19 then our train expresses, you know, to 125 after Tarrytown.

20 So, let's see, so after Croton we collected Tarrytown --
21 and then after Tarrytown we do the sweep, the final sweep, I
22 should say. And normally, which is what I do all the time, I
23 always sit in the head car, the four-seater behind the engineer,
24 so right there the first seats. And the four-seater is on your
25 left and that's my normal. And Michael usually goes in the back

1 because he's the conductor, so he's -- so I'm in the four-seater
2 and I do my FRA reports or I'm reading something. I just sit
3 there and, like, take a breather, you know, but I'm always reading
4 or doing FRA reports, something like that.

5 So I don't think anything of it. Now we're going along
6 and I, how can I say -- I mean, we're traveling towards the city,
7 of course, and I know the territory, you know. And at one point I
8 just looked up out the window, I said, oh, you know, to see where
9 we are, but I kind of knew. And then as soon as I looked back, I
10 remember the motion. I looked back just to do what I was doing
11 and a split second I'm tumbling on the floor and just like that.
12 It was a split second. And I knew where we were and --

13 MR. BUCHER: Can we take a break?

14 (Off the record.)

15 (On the record.)

16 MR. BUCHER: All right. We're back.

17 MS. HERBERT: Okay. So like I said, in a split second
18 from looking out the window to going back to what I was reading,
19 I'm already tumbling on the floor. I think I hit the ceiling
20 several times, and I didn't even have time to react or to think
21 what is going on. Alls -- you just -- you got to -- the momentum,
22 so you just got to go with it. And what was happening was I ended
23 up at the water cooler across from the first seat, and it was a
24 two-seater.

25 BY MR. BUCHER:

1 Q. Um-hum.

2 A. Right? So I ended up in the corner of that two-seater
3 on the floor, and all the seat cushions came apart so they were
4 all toppled on top of me. And so finally the train stopped and I
5 had all the cushions on top of me.

6 I'm trying to get my wits about me. I remember I might
7 have possibly blacked out at some point but maybe for a split
8 second, but I when I came out of it, I looked up. I see this big
9 huge egg on my head and people are screaming and the -- you can't
10 walk, for one, between the seats all over the place and the train
11 is now tipped on the right and you couldn't walk. People
12 screaming. Glass, glass all over. And I finally looked up and
13 the fellow that was sitting behind that two-seater he was --
14 seemed okay because he was standing. I said, "Please, can you
15 help me out of here?" So he did, and at that point I realized I
16 couldn't move. So I felt bad. I wanted to help --

17 Q. Um-hum.

18 A. -- and I couldn't do anything, and -- because my whole
19 right side was hurting.

20 MS. MCKAY: Okay? Take a break? Do you want to take a
21 break?

22 MR. BUCHER: Yeah, let's a take --

23 (Off the record.)

24 (On the record.)

25 MR. BUCHER: Okay. We're back.

1 MS. HERBERT: Okay. Where did I leave off? Okay, so --
2 okay, the fellow picked me up and I couldn't do much because at
3 that point I realized I couldn't move and I just sat there on a
4 pile of cushions. And then the cab door opens and Rockefeller was
5 there, which I was so relieved and shocked at the same time. And
6 he kept asking me if I was okay and then he says, "Maria, can I
7 use your radio? Do you have a radio?" And I said, "Yes," I said,
8 "but it's in my bag and my bag went in that corner." Everything
9 went in that corner.

10 So I said, "Yes, I do but I can't get it." I says, "You
11 have to get it or somebody, but it's in the bag." And he happened
12 to manage -- he got it and that's when he got on the radio and he
13 called "emergency, emergency, emergency." And then very quickly,
14 I say, like, 10, 15 minutes the paramedics were already there
15 because I heard chainsaws. And, Rock, he couldn't move either.
16 He could not walk through or do -- he couldn't do anything either
17 pretty much because everything was so -- debris all over.

18 It's so hard to -- you couldn't go anywhere is what I'm
19 trying to say, and so he stayed with me to make sure I was okay
20 and we waited for the paramedics. Paramedics came. They chain
21 sawed all the brush outside because they couldn't get through, and
22 they finally made it in the car and they went to the more serious
23 people that were hurt, because there was glass all over. The
24 windows were all broken, shattered. The whole cab car, the cab
25 car was a mess. I did see -- I saw the person outside, I guess,

1 whoever went through the window, was -- and so the paramedics came
2 in and they went to the most serious, because they asked. They
3 asked, you know, who am I; am I all right? But they -- you know,
4 I was okay compared to what was going on. And then I guess every
5 -- all the other -- I heard helicopters up above and more
6 ambulance, more firemen, more paramedics.

7 Yeah, so we just, like, sit and wait and they got
8 through. I tell you they were fast, you know, right? Those
9 paramedics, I give them a lot of credit. Yeah, real quick.
10 They were quick.

11 Then I was one of the -- me, Rock, I think, too, we were
12 one of the last people, right? I can't -- if I remember right,
13 yeah, because he was -- I was one of the last because there was
14 more serious and then we had fatalities and -- but I was closer to
15 the -- more towards the end of the people that were being helped
16 because they were very seriously hurt. Yeah. Broken arms, people
17 screaming. Oh, yeah, blood. Yeah, it was -- but the cushions, if
18 you could do something about those cushions, you know, they were
19 -- they're not, not a good idea to have them moving.

20 UNIDENTIFIED SPEAKER: So they became floaters? Sorry.

21 MS. HERBERT: They became --

22 UNIDENTIFIED SPEAKER: Flying objects?

23 MS. HERBERT: They became flying objects. The cushions,
24 I think even some of the luggage racks, if I remember right. But
25 the cushions were big things. If the cushions, I believe, were in

1 place you could at last walk through the aisle. Because that's
2 what got me, I think too, was the cushions. I got clobbered with
3 the cushions, as well as the momentum of being thrown around and
4 rolling, yeah.

5 And then they -- finally the paramedics put me on a
6 board and they carried me out, and then we waited for the
7 ambulance and here I am at Columbia Presbyterian. Yeah.

8 BY MR. BUCHER:

9 Q. Okay. That was great. That was great. Now can we go
10 around and just ask a couple questions, just a few follow-up
11 questions?

12 A. Yeah.

13 Q. Real, really easy.

14 A. Sure.

15 Q. When you left Poughkeepsie --

16 A. Yes.

17 Q. -- you didn't feel anything unusual in the train's
18 operation?

19 A. No.

20 Q. Nothing -- I mean, no sounds or anything that was
21 unusual in the operation of the train?

22 A. No.

23 Q. Okay.

24 A. No.

25 Q. Okay. And you didn't use your radio during the trip? I

1 mean, it sounds like it was in your bag?

2 A. It was in my bag. No.

3 Q. Okay. So you didn't have any communication on your
4 radio during the trip?

5 A. I mean, no.

6 Q. Okay.

7 A. No.

8 Q. All right. Great.

9 A. I use it from time to time, but not this particular
10 trip.

11 Q. Okay.

12 A. Yeah.

13 Q. In your last trip to the head car, when you're
14 collecting tickets, before you sat down and started checking your
15 hours of service or FRA record, did you have -- was the door to
16 the control car closed or --

17 A. Yes.

18 Q. -- did you see -- you couldn't see the engineer?

19 A. No.

20 Q. Okay.

21 A. No.

22 Q. And normally can you hear any -- the engineer on the
23 radio through the door or do you ever hear him while you're making
24 the trip, like, communicating with anybody? I mean, is it hard --
25 I know there's train sounds going on.

1 A. It's hard to hear --

2 Q. Okay.

3 A. -- because he's got the heat on or there's the seals
4 around the windows and the doors in the cab, they're usually
5 pretty bad.

6 Q. Okay.

7 A. So they're whistling.

8 Q. Oh, okay.

9 A. So if you're even sitting in the seat right behind the
10 cab you can't really hear anything, no. Because there's too much
11 noise.

12 Q. Okay.

13 A. Of course, you've got the overhead vents.

14 Q. Yeah, there's a lot of --

15 A. It's very, very noisy.

16 Q. -- sounds, track sounds and -- yeah, I know.

17 A. Yeah, you really can't hear too well, no.

18 Q. Okay. Do you have any idea, roughly, how many people
19 were in the lead car with you?

20 A. Roughly, I want to say 20, 25. Sunday. Sunday, so it's
21 light. Maybe 25.

22 Q. Okay, that's cool. We're just trying to get a ballpark
23 as to how many people were up in the car with you.

24 A. Yeah.

25 Q. Great. Thank you.

1 A. Sure.

2 Q. Did you know that there were deadhead employees going to
3 Grand Central in the last couple cars? I mean, were you aware of
4 that or is that --

5 A. No.

6 Q. No?

7 A. No. I -- was I aware of it?

8 Q. Yeah.

9 A. No.

10 Q. No? Okay.

11 A. No.

12 Q. I mean, just checking because there were some people in
13 the back that were going to work.

14 A. Right. Right. No, I was not aware. Because I'm mainly
15 -- because I mainly work the front, the head end.

16 Q. Right. The front --

17 A. So I never get to the rear.

18 Q. So you worked the front 2 cars or 2½ half cars --

19 A. Yes.

20 Q. -- that day.

21 A. Yes.

22 Q. Okay. And you just work front, back and forth --

23 A. Right.

24 Q. -- collecting tickets?

25 A. Yeah.

1 Q. Great. Great. I'm getting to know these jobs.

2 A. Right.

3 MR. PARKIN: You'll be qualified pretty soon.

4 MS. HERBERT: That's right.

5 MR. BUCHER: Well, that's all I have for now. If you
6 want to -- we'll let Bruce ask a couple questions.

7 MS. HERBERT: Sure.

8 MR. BUCHER: Thank you.

9 MR. PARKIN: Bruce Parkin, FRA.

10 BY MR. PARKIN:

11 Q. Maria, you say you reported at 5:50 in Poughkeepsie.

12 A. 5:30.

13 Q. Oh, 5:30.

14 A. Yes.

15 Q. Okay. And do you board the train in the station or do
16 you pick it up in the yard?

17 A. At the -- on the platform in the station.

18 Q. On the platform at the station.

19 A. Yes.

20 Q. So when you boarded the train, did you meet with the
21 conductor or did you go right to the head car?

22 A. Let's see. Did I see him? I went to -- I walked to the
23 head car. I walked to the head car and I met Michael, like, a few
24 minutes later, I think it was, if I remember right.

25 Q. Now, when you walked to the head car, you put your bag

1 in the four-seater behind the engineer --

2 A. Yes.

3 Q. -- where the engineer would -- cab would be, where he
4 would be in the --

5 A. Yeah, the fireman side. His engineer side. The first
6 seat is on the left side.

7 Q. Oh, you put it on the fireman's side?

8 A. They call the fireman's side.

9 Q. Okay.

10 A. Yeah.

11 Q. Okay.

12 A. Yeah. The first seat is on the left.

13 Q. On the left, and you described the water cooler would be
14 on the right behind the engineer?

15 A. Yes. Correct.

16 Q. Okay.

17 A. Correct.

18 Q. When you put your belongings on the four-seater on the
19 fireman's side, did you go into the control cab to see the
20 engineer?

21 A. Yes. I always say good morning.

22 Q. Um-hum.

23 A. You know, "How's it going?" I always say that, you
24 know, to everybody. I always say, "Good morning, how are you?
25 And then, you know -- always, you know, and see what's going on.

1 And that's it, and then I go about my business.

2 Q. Okay. And how did the engineer, Mr. Rockefeller, seem
3 when you were speaking with him?

4 A. Good, normal. Yeah.

5 Q. Okay. Had you worked with him in the past?

6 A. Yes.

7 Q. Okay. So had you -- is this your regular assignment
8 also?

9 A. Yes, my regular assignment. Yes.

10 Q. So you had worked with Mr. Rockefeller and the
11 conductor, Mr. Hermann, for the past 2 weeks as a regular --

12 A. Yes.

13 Q. -- as a regular unit, as a regular team working
14 together?

15 A. Regular crew. Yes.

16 Q. Crew, regular crew working together?

17 A. Yes. Correct.

18 Q. And so Mr. Rockefeller didn't seem any different than he
19 had in the past.

20 A. No.

21 Q. Okay.

22 A. No.

23 Q. Now, on the -- as you left Poughkeepsie and you were
24 collecting tickets, you made your station stops coming down you
25 mentioned them, you know, Hamburg, Ossining, so forth.

1 A. Right.

2 Q. Did you arrive at those stations late, on time, or a
3 little early, or --

4 A. On time.

5 Q. On time.

6 A. Right.

7 Q. So you made your station stop --

8 A. Um-hum.

9 Q. -- passengers got on or off and the conductor signaled
10 the engineer to go?

11 A. Correct.

12 Q. Okay. Now, were you aware that at Croton another
13 assistant conductor had gotten on the train to work the train?

14 A. Yes. I -- yeah, I forget that we have a third person on
15 the train. But, yes.

16 Q. Okay.

17 A. Yeah.

18 Q. Did you meet or interface with that person during the
19 trip at all?

20 A. No.

21 Q. No.

22 A. No.

23 Q. Now, the train makes the last station stop at Tarrytown.

24 A. Correct.

25 Q. After you -- you said after you collected the tickets,

1 you then walked to the forward end of the train, the first car
2 where your belongings were?

3 A. Correct.

4 Q. Okay.

5 A. Yes.

6 Q. At any time from that point on did you go into the cab
7 and see Mr. Rockefeller?

8 A. From that point on? No. No.

9 Q. Okay.

10 A. No.

11 Q. You started to describe that you were sitting down doing
12 some paperwork and as you looked out the window you recognized
13 where you were, you said.

14 A. Yes.

15 Q. Is that correct?

16 A. Yes.

17 Q. And so just brief, can you remember where that was,
18 where you were?

19 A. It was -- I knew we were in the Bronx area and heading
20 towards -- because I know the sound of the -- you know, as
21 conductors we know where we are through, whether it's sound or --
22 because it's still a little dark out, you know, and I knew we were
23 in the Bronx. I knew we were past Yonkers and into the lower
24 Bronx. I knew where we were, yes.

25 Q. Was this before Riverdale, CP-12, let's say?

1 A. Right.

2 Q. That was before then?

3 A. It was before -- could have been before, maybe a little
4 bit after.

5 Q. Okay.

6 A. So around -- but I knew we were around CP-12.

7 Q. Okay. So you -- did you know, then, that you were
8 coming down into the sharp curve at --

9 A. Right.

10 Q. -- Spuyten Duyvil?

11 A. Yes.

12 Q. Okay. How did the train -- how was the train reacting,
13 at that point?

14 A. To me it seemed okay. I didn't really think anything of
15 it, you know. But as soon -- from the second I looked out the
16 window to the second I went like this, like this, like this, I was
17 already on the floor. Like, no time to even react or even think
18 about anything. Like your mind just went -- like your mind goes
19 blank, you know?

20 Q. Um-hum.

21 A. And -- but I kind of knew, like you said, where I was
22 but as far as anything else, I don't know. I don't know nothing.
23 Yeah, like I didn't know, how can you say -- like reaction and
24 thinking, you know, what's going on? No.

25 Q. Okay. So you recognized you were by CP-12, in that

1 area.

2 A. Right.

3 Q. You, having been traveling over this route for a
4 while --

5 A. I mean, altogether 13 years.

6 Q. -- and so you're qualified on the physical
7 characteristics and so forth --

8 A. Correct.

9 Q. -- of your territory.

10 A. Correct.

11 Q. What would be, in your estimate, a normal location that
12 you would start to maybe feel the engineer put the brakes on for
13 that curve, the 30-mile-an-hour curve at Spuyten Duyvil?

14 A. Well, it's -- yeah, it would be before there, you know.

15 Q. And just think about this question for a minute, did you
16 -- as you were doing your work, did you feel the brakes coming on
17 the train at all?

18 A. No, not really. But me, was I even -- like, was I
19 really paying attention, you know, that much? You know what I'm
20 saying?

21 Q. Um-hum.

22 A. No, but I didn't feel anything, no.

23 Q. Okay. At any time when you were doing your work and
24 looked out that window in that split second that you describe, did
25 you feel the brakes go on or did you feel the train going into

1 emergency?

2 A. No, not that I can remember. No.

3 Q. Okay. You all right?

4 A. Yeah.

5 Q. Yeah. You're doing a great job.

6 A. Thank you. I'm trying.

7 Q. Because you seem to be remembering everything in very
8 good detail.

9 A. Okay.

10 Q. You said that a passenger helped you get up --

11 A. Yes. Yes.

12 Q. -- and that the barrel door opened and you saw
13 Mr. Rockefeller. You were somewhat relieved to see --

14 A. Yes.

15 Q. -- that he was okay.

16 A. Yes.

17 Q. Okay. He -- you said he came to you and asked --
18 checked on your condition first.

19 A. Yes.

20 Q. Okay. And then he asked if you had your radio?

21 A. Correct.

22 Q. Okay. Did Mr. Rockefeller spend a lot of time with you
23 while you were injured in that location?

24 A. Yes, he did.

25 Q. Okay.

1 A. Yes, yes. Because he even said, he says, "I don't want"
2 -- "my trainman is hurt. I don't want to leave her." Yeah.

3 Q. Okay. Did he seem to assess the situation in the car --

4 A. Yes.

5 Q. -- while he was with you?

6 A. I think, yes, he tried. Yes.

7 Q. Okay. Was there any discussion between you and him as
8 to what had just happened?

9 A. Not -- no, because I just said -- I was shock. I said,
10 "Oh, my God. What happened?" Like that. And he's like, "Oh" --
11 he was in a shock, too. He says, "Oh, oh," like that, like he was
12 in a shock --

13 Q. Um-hum.

14 A. -- himself and then he just got on the radio and he
15 stayed -- "emergency, emergency, emergency," and he stayed with
16 me.

17 Q. So he didn't give you an answer as to what had happened?

18 A. No. No.

19 Q. Okay.

20 A. No. He was more concerned with, like, trying to get
21 help.

22 Q. Okay.

23 A. Yeah.

24 Q. In the time that you and Mr. Rockefeller were -- that he
25 was there with you, did he indicate anything else as to what had

1 happened or any concern that he might have expressed to you that
2 he had concerning the train or the operation of the train?

3 A. No.

4 Q. No?

5 A. No.

6 Q. Okay.

7 A. No, nothing.

8 Q. Okay.

9 A. No. He was very occupied with trying to get help.

10 Q. Okay.

11 A. Yes.

12 Q. You did a great job and I thank you very much. I don't
13 have any more questions right now.

14 A. Okay.

15 Q. Okay. Thank you.

16 MS. McKAY: This is just for the recording. It's Mary
17 Pat McKay, Medical Officer for the NTSB.

18 BY MS. McKAY:

19 Q. You did say that when you saw Mr. Rockefeller come out
20 of the cab that you were shocked. In what way were you shocked?

21 A. Well, shocked that he was -- from what just happened,
22 that he was okay.

23 Q. Okay.

24 A. Yes.

25 Q. Okay. And the --

1 A. Let's just say he seemed to be okay.

2 Q. Right.

3 A. You know, because he was standing.

4 Q. Okay. That's a good indicator.

5 The sense that you had of the morning, is there any
6 sense that you had that there was anything odd about the day or
7 was this just routine?

8 A. Routine.

9 Q. Okay.

10 A. Yeah, nothing --

11 Q. Nothing out of the ordinary? Nothing out of the
12 ordinary about the way the train stopped at stations, nothing out
13 of the ordinary about conversations that you had with people?

14 A. No.

15 Q. Okay. And you know that there was a change of engineers
16 on this schedule just a couple of weeks before the accident
17 happened?

18 A. Right.

19 Q. And so how long have you been on this particular --

20 A. Oh, geez.

21 Q. -- route schedule?

22 A. This is the second pick on this schedule, but I've been
23 on these hours for years.

24 Q. Okay. So early morning hours are normal for you?

25 A. For me they're normal, yeah.

1 Q. Okay. And this is the second pick for you on this
2 particular schedule on this line?

3 A. Particular -- Schedule 1, whatever you want to call it,
4 yes.

5 Q. Okay.

6 A. Yeah.

7 Q. And just, in general, the story that we got from
8 Mr. Hermann was that having that extra assistant conductor kind of
9 just sit it out in the car till you all got into Grand Central was
10 pretty standard. Was that what --

11 A. Yes.

12 Q. -- your understanding was?

13 A. Yes, because by the time -- when he gets on in Croton
14 the work is already done, so we just say, oh, just get the
15 handbrake for me. You know, like, okay, if you want to do
16 something, you get the handbrake.

17 Q. Okay.

18 A. That kind of thing.

19 Q. Okay.

20 A. But, yes, at that point the work is done.

21 Q. Okay. When you went back to the front car to have a
22 seat as you're on the express part of the trip, were you sitting
23 in that four-top facing forward or facing rearward?

24 A. Facing forward.

25 Q. Okay.

- 1 A. Facing south.
- 2 Q. And were you sitting in the aisle seat or the window
- 3 seat?
- 4 A. The aisle seat.
- 5 Q. Okay. And there's no table in that --
- 6 A. No.
- 7 Q. -- in that four-top? Okay.
- 8 A. No.
- 9 Q. And you ended up one, essentially, seat behind that in
- 10 the two-seater at the end of the whole --
- 11 A. I ended up at the right.
- 12 Q. On the other side, right.
- 13 A. Yeah --
- 14 Q. So you crossed the aisle?
- 15 A. Yeah.
- 16 Q. And you -- that's directly across or you came a little
- 17 bit backwards?
- 18 A. Directly across.
- 19 Q. Okay. Do you recall where the gentleman who helped you,
- 20 the passenger who helped you up, was he seated in that right-hand
- 21 seat or maybe you didn't --
- 22 A. He was seated there from Poughkeepsie.
- 23 Q. Okay.
- 24 A. The seat behind the two-seater.
- 25 Q. Okay.

1 A. Yeah.

2 Q. Okay. And which are your days off?

3 A. Tuesday, Wednesday.

4 Q. Tuesday and Wednesday. So you worked the holiday,
5 Friday, Saturday and then this was Sunday?

6 A. Yes.

7 Q. Okay. And was there anything unusual about any of these
8 other trips that you took?

9 A. No.

10 Q. And did you work with Mr. Rockefeller on any of these
11 other, I guess -- I don't know what his days off were, but --

12 A. Let's see, Saturday. We worked together Saturday and
13 Sunday on this schedule.

14 Q. Okay. And so he was there Saturday morning and --

15 A. Yes.

16 Q. Was there anything unusual about Saturday morning on the
17 trip down?

18 A. No. No. Routine.

19 Q. Okay. And the same for Mr. Kelly -- Mr. Hermann?

20 A. Yes.

21 Q. Okay.

22 A. Yes.

23 Q. Okay.

24 A. Yeah.

25 MS. McKAY: Do you think we need to do a 72-hour?

1 BY MS. MCKAY:

2 Q. So I'm going to ask you some questions about your --

3 A. Sure.

4 Q. -- what you were doing for the couple of days before --

5 A. I'm okay. I'm fine.

6 Q. -- what you were doing for the few days before this. So
7 it sounds like you were working.

8 A. Right.

9 Q. So we can do this now or we can kind of do this at the
10 end. It's really your choice.

11 MR. BUCHER: Okay. I got a couple more questions. Then
12 why don't we conclude the interview and then that way this --

13 MS. MCKAY: That way we can do this --

14 MR. BUCHER: -- the recorder part will be all taken care
15 of.

16 MS. HERBERT: Okay.

17 MS. MCKAY: Okay. All right.

18 BY MR. BUCHER:

19 Q. I'd just like to have one more. After you made your
20 last sweep, and it's in relation to how many people might have
21 been in the second car.

22 A. Okay.

23 Q. When you made your final sweep, as you worked your way
24 forward to the first car, you said there were about 20 to 25
25 people on the first car. Do you have an idea, roughly, how many

1 people in leaving Tarrytown might have been in the second car?

2 A. Let's see. The second car. I don't know, maybe about
3 30 or so, 30.

4 Q. That's cool.

5 A. I'm taking a guess.

6 Q. I know. I know. That's all I'm asking for is just an
7 idea.

8 A. Okay.

9 Q. If you knew about -- okay.

10 A. Yeah.

11 MR. BUCHER: Okay, great. That's all I have. Do you
12 have anything more, Bruce?

13 BY MR. PARKIN:

14 Q. Just one. Just prior to realizing that -- or just prior
15 to you getting tumbled out of the seat --

16 A. Right.

17 Q. -- did you hear or see anything that seemed unusual or
18 out of place that, geez, this just -- this doesn't feel right?
19 You know, as an experienced conductor you know when something
20 doesn't feel right --

21 A. Right.

22 Q. -- on the job.

23 A. No. No, I don't -- not that I recall, no.

24 Q. No sound of ballast or of anything clanging or --

25 A. No. Not that I can -- no.

1 Q. Okay.

2 A. No it's just -- no it's just like a train just rolling
3 along, you know. Because the track is rough in some spots --

4 Q. Um-hum.

5 A. -- so to me it's the same noise day after day and -- but
6 nothing like out of the ordinary for me to hear. No, it sounded
7 like any other time. Yeah.

8 MR. PARKIN: That's the only thing I had. Thanks.

9 MS. MCKAY: I don't have any other questions, no.

10 MR. BUCHER: Okay. Well, thank you very much. You did
11 a great job. And we'll -- thank you so much. We're going to turn
12 this off.

13 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: METRO-NORTH RAILROAD TRAIN
 DERAILMENT DECEMBER 1, 2013
 BRONX, NEW YORK
 Interview of Maria Herbert

DOCKET NUMBER: DCA-14-MR-002

PLACE: Yonkers, New York

DATE: December 4, 2013

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Beverly A. Lano
Transcriber